

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20003 of 2025

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Sanjay Kumar Son of Chhedi Singh, Resident of Village- Chandanpura, P.S. Jamalpur, District- Mungher, presently resides at Village- Samraspur, P.S.- Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Revenue Department, Government of Bihar.
2. The District Magistrate, Bhagalpur, Bihar.
3. Additional District Magistrate, Bhagalpur, Bihar.
4. Land Acquisition Officer, Land Acquisition Office, Bhagalpur.
5. The Circle Officer, Goradih, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shyam Kishor Das, Advocate
For the Respondent/s : Mr. Prabhakar Jha, GP-27

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-12-2025 The instant writ petition has been filed by the petitioner under Article 226 of the Constitution of India, seeking the following relief(s):-

“(i) To issue a writ in the nature of Mandamus commanding the respondent no. 2 & 3 to restrain the house of the petitioner constructed over the land bearing Khata No. 57, Khesara No. 3, Thana No.- 127, Area-3.44 Decimals, situated at Mauja- Samaraspur, P.S.- Lodipur, and District. Bhagalpur.

(ii) To issue a writ in the nature of Mandamus commanding the respondent No. 3 & 4 to initiate the proceeding under provision of Land Acquisition Act against the petitioner.

(iii) Any other relief or relief for which Petitioner may be found entitle to in the fact of the case



may be granted to him.”

2. Mr. Shyam Kishor Das, learned counsel for the petitioner and Prabhakar Jha, learned GP-27 for the State are present.

3. It is submitted by the petitioner's counsel that the land in question, upon which the petitioner's house is presently situated, was purchased by the petitioner himself through Sale Deed No. 6781 dated 27.05.2002, and the petitioner has been residing in his house on the said land for a long period, but recently the Land Acquisition Officer, Bhagalpur (Respondent No. 4), has taken steps to demarcate the petitioner's house for the purpose of its demolition, and many of the houses situated around the petitioner's house have already been demolished. Surprisingly, neither any notice has been given to the petitioner before demarcating his house nor has the petitioner's land been acquired, therefore, the entire proceeding adopted by Respondent No. 4 is completely illegal, and at any time the petitioner's house may be demolished by Respondent No. 4. Hence, the petitioner is in urgent need of relief from this Court.

4. After having heard both sides, this Court is of the view that, as the petitioner has not filed any supporting materials regarding the attempt allegedly made by Respondent



No. 4 to demolish the petitioner's house, though he has filed an application before the Land Acquisition Officer, Bhagalpur, Respondent No. 4, which is still pending, so considering this aspect, the instant writ petition is disposed of with giving a direction to the Land Acquisition Officer, Bhagalpur, Respondent No. 4, to dispose of the petitioner's application and take it to its logical end within eight weeks from the date of receipt or production of a copy of this order.

5. If the petitioner's house is to be demolished, then the concerned authority shall follow all the prescribed procedures of law for demolition, and the petitioner's application (Annexure-P/4), which is still pending before the Land Acquisition Officer, Bhagalpur, Respondent No. 4, must be decided by the Respondent No. 4 with a reasoned order before taking any step for demolition of the petitioner's house.

6. Accordingly, the instant writ petition stands disposed of.

(Shailendra Singh, J)

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